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Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America*

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REFERENCES

Ngai, Mae M., *Impossible Subjects: Illegal Aliens and the Making of Modern America*, Princeton (NJ), Princeton University Press, 2004, 377 pages, ISBN 0-691-07471-2, \$ 23.95.

- 1 *Impossible Subjects*, Mae Ngai's award-winning essay, explores the origins of new categories of non-citizens shaped by American law and society from 1924 to 1965. Positioned at the crossroads of immigration history, ethnic and law studies, *Impossible Subjects* can be understood as a test of the validity regarding the American claims, past or present, to be a nation of immigrants, a melting pot, a land of inclusion. It is not so much the history of immigration and the "poor huddled masses" passing through Ellis Island that interest Ngai but the much more subtle phenomenon of the construction of illegality by law – a history of exclusion that remains in many ways overshadowed by national American history. The author was a labor-union organizer before becoming Professor of history and Asian American Studies at Columbia University. Sequel of *Strangers of the Land* by John Higham, that ends precisely on the 1924 Johnson-Reed Act, Ngai's book is also a militant reply to Higham's liberal tone, representative of the post-World War II narrative on immigration.
- 2 *Impossible subjects* fills a double historiographical gap: the choice to situate its study between the Immigration Act of 1924 and the Hart-Celler Act of 1965 corresponds to a period somewhat neglected. Indeed, in the 2000s, historians mainly wrote on immigration before 1924, an era of open immigration from Europe and laissez-faire, or the period post-1965 when the national quota of origins was abolished and immigration from the Third World increased¹.

- 3 On the other hand, the focus on Asian immigration (Japanese, Chinese and Filipino) is a perspective often understudied, compared to the numerous works dealing with European immigration.
- 4 *Impossible Subjects* thus examines the transformation of an immigrant into an alien and how restrictive immigration laws produced new categories of racial difference. If illegality is a label that may change depending on the various laws on immigration, Ngai points out four categories systematically built to link race with illegality in the United States: the “illegal alien” and the “contract laborer”, which correspond to Mexicans crossing the border, the “alien citizen”, racialized as Asian and the “colonial subject”, corresponding to Filipino imported labor force. The novelty of Ngai’s book is to consider illegality not only as a breach of the positive law but also as a racial construction born of a perception in the eyes of a nation.
- 5 In an introductory note, Ngai specifies that the terms used are not employed in order to reproduce racial stereotypes but to trace the origins and the consequences of a constructed national imaginary. Indeed, the illegal alien becomes, by immigration laws, an “impossible subject”, defined precisely by the illegality of their existence: their inclusion in the nation is a social reality but a legal impossibility—they are subjects without rights and excluded from citizenship. On the other hand, the reconciliation of two opposite words, “alien citizen” means that although Asians are literally citizens through naturalization or through birth, they are not considered as such in terms of belonging.
- 6 The first part deals with the quota system and the American deportation policy of the 1920s-1930s which led to the making and unmaking of illegal aliens. The essay first analyses the 1924 Johnson-Reed Immigration Act. This time framework is questionable – it excludes the period of anti-Chinese restrictive immigration laws, such as the Exclusion Act of 1882, studied by Erika Lee in her book *At America’s Gates*². Nevertheless, 1924 is a seminal date because it leads to the establishment of numerical limits and the institution of a global racial hierarchy that excludes certain categories (mainly Chinese, Japanese, South Indians). In turn, the 1924 Act solidifies the legal boundaries of the white race. The establishment of a border patrol as a law enforcement agency transforms unauthorized entry into a criminal act with a risk of deportation.
- 7 The process of racial exclusion carries on with the characterization of Filipinos as colonial subjects (ch. 3) in the 1920s-1930s and Mexican migrants as illegal aliens (ch. 4) in the 1940s. Labelled as undocumented workers and contract laborers, the Mexican and Filipino immigration helped to constitute the notion of whiteness³. Filipino migrant laborers worked mostly in the Pacific Northwest and California on summer contracts. However, Filipino immigration differed from other migration experiences, owing to the Philippines’ status of US territory as a result of US victory in the 1898 Spanish American war. Filipinos were portrayed in the Treaty of Paris (1898) as incapable of self-rule and the 1901 insular cases gave legal grounds for the U.S. to create an unincorporated colony. After a period of benevolence from the American government to fill up the shortage in agriculture, they had to endure racial violence in the late 1920s because of racial stereotypes and for economic reasons, such as fear of losing jobs or anxieties of miscegenation. The 1929 depression exacerbated the conflicts surrounding jobs, there were attempts to repatriate Filipinos in mass. Indeed, the Welch Bill of 1935 subsidized passage back to the Philippines and thus conflated repatriation and deportation.

- 8 Ngai then studies the *bracero* program, a state-sponsored contracted labor program that imported 4 million Mexican workers on temporary contracts from World War II to the early 1960s. Ngai notes that “The *bracero* program was supposed to be a solution to illegal immigration but in fact it generated more illegal immigration” (147). Indeed, the carrot and stick policy of the Immigration and Naturalization Service (INS), an agency created in 1933, is analyzed through Operation Wetback, developed in 1954 by the U.S. Government and the Mexican Government to curb illegal flows through deportation of Mexicans. Nevertheless, the program only records short-term successes. As a consequence of this legislation, the term “wetback” became a derogatory term which racialized Mexicans, pictured as pathogen and dangerous elements.
- 9 Part three focuses on the shift of an immigration policy driven by politics of domestic racism to an immigration dictated by foreign policies matters. Ngai shows how international commitments and particularly the Second World War and the Cold War influenced American immigration laws and constructed a new category of citizens: the alien citizen, referring to the Japanese American (ch. 5), and the Chinese American (ch. 6).
- 10 The chapter on the mass incarceration of 120 000 Japanese is remarkable. It deals with the internment of Americans with Japanese origins in U.S. concentration camps from 1942 to 1945 on suspicion of intelligence with the enemy during World War II. The renunciation by 5500 Japanese of their American citizenship is a real crisis of citizenship and probably one of the darkest episodes in the history of civil rights in the United States since the Jim Crow laws. The switch from a positive image of the Japanese at the beginning of the century to the constitution of the Japanese enemy in the context of World War II is brilliantly analyzed.
The reader learns that the internment was also intended for American Germans and Italians but the latter were released the following month by the FBI. The War Relocation Authority (WRA), the institutional actor of this forced internment, participated fully in the constitution of a racially based citizenship. Ngai shows how the institutions viewed Japanese Americans as racial children in need of democratic tutelage, in a way which is not dissimilar to claims about black Americans.
- 11 Loyalty conflicts regarding the Japanese were caused by question 28 of the 1943 Loyalty Questionnaire, requiring allegiance to the United States and the disallowance of their affective and political links to Japan. It culminated in the Denationalization act of July 1944 that authorized citizens to make a voluntary renunciation of citizenship. Wayne Collins, civil rights attorney, took their case and managed in a thirteen-year-old battle to restore the citizenship of 5000 Japanese Americans after the War, on the grounds that the Japanese reacted under condition of coercion – perhaps thereby renewing the stereotype of the Japanese weakness and pragmatism, even if this is not the subject of debate for Ngai. If a lot of *Nissei* (second-generation Japanese, born in America and with an American citizenship) renounced their American citizenship, nationalism within the Japanese population was overestimated according to Ngai – this renunciation is, according to her, an angry reaction against American politics rather than a desire for repatriation. The reader has also a glimpse of the culture in camps, particularly on Tule Lake, the segregated camp for Japanese disloyals. With a mixture of Japanese and American politics, culture camps celebrated both the anniversary of Lincoln and the Emperor, exemplifying the tension generated by patriotic ties both to the US and Japan.

- 12 Even more forgotten by historical memory is the Chinese confession program, launched in 1956 by the INS. The program sought confessions of illegal entry from U.S. citizens of Chinese origin and offered, in theory, a legalization of status in exchange. As the only group to be excluded from immigration explicitly by their race, the Chinese indeed invented a system of illegal entry built upon a paper trail known as “paper sons”. 11 000 American Chinese confessed of having used false names to immigrate in the U.S. Nevertheless, the risk of deportation for the confessor and his family and the lack of benefits from confessing created fear in both the Chinese and white community. The Chinese American were thus victims of an anti-communism hysteria in the midst of Cold War politics where China was the number one enemy.
- 13 The last chapter retraces the emergence of pluralism as a narrative from its progressive origins in the 1920s to immigration reforms in 1965. Without doubt, it is the most militant part, and probably also the least analytical. The liberal pluralistic narrative was fueled by critics of nativism and new ideas of race and culture, such as Franz Boas’ works at the beginning of the century. Later on, this liberal thought was exemplified by John F. Kennedy’s book *A Nation of Immigrants* and embodied by Herbert Lehman, a prominent Democrat from New York participating in the immigration reforms of the 1950s. According to Ngai, the liberal discourse advocated an unfair notion of equality sweeping off economic or political differences between countries — even if the politics of asylum for Jewish refugees is not really investigated. Liberals also remained ambivalent about immigration from the Third World, as demonstrated by the 1952 McCarran Walter Act. This act imposed an immigration quota to the British colonies in the Caribbean in order to limit the immigration of Black people in the U.S. The ambivalence of this egalitarian liberal ideology against restrictive immigration is symbolized by the Hart-Celler Act of 1965, which repealed the system of national origins quotas but still retained the exclusionist character of the 1924 legislation with a new system of quotas, applied this time to all countries and evenly distributed (20 000 per country, 300 000 admissions per year).
- 14 The concluding remarks develop new patterns of immigration after 1965. Indeed, these years paved the way for an increased immigration from the Third World and continued American commitment to numerical restrictions by the imposition of quotas on Western hemisphere countries. The 1986 Immigration Reform and Control Act passed by Congress, giving amnesty for 2.7 million undocumented immigrants, did not succeed in curbing illegal immigration. The stunning militarization of the U.S. – Mexico border since 1990 with the erection of fences and high-tech surveillance makes crossing the border more difficult for migrants in pursuit of work. The end of Asiatic exclusion led to the arrival of wealthy elites from Hong Kong repositioning American Asians as “model minorities”. Ngai vigorously opposes this stereotype as it elides the existence of large numbers of working-class immigrants and undocumented workers or refugees. She also notes that the growth in size of Asian and Latino makes the black-white prism of American society more complex. Eventually, globalization triggers a push-and-pull migration from developing countries to low-wage sectors in the United States, leading to new forms of illegal aliens.
- 15 In many ways, *Impossible Subjects* is ground-breaking and insightful to understand what it means to be American and how immigration restrictions remapped the nation by creating new categories of racial differences. The impressive compilation of institutional archives has to be noted, some of which previously unstudied, such as the

U.S. border patrol and the Immigration and Naturalization Services (INS) archives. The crossing of periodical journals, of the AFL-CIO records and governmental serial publications allows Ngai, for example, to recount the strikes of Filipinos, who formed 80% of the asparagus farming workforce, in the Sacramento River, in favor of better working conditions in the 1930s and to show the lack of support from the white labor unions. Oral sources, if they are present in the list of archives, remain singularly absent in the narrative, which is dominated by the study of the changing design of the nation-state based on a stricter enforcement of national sovereignty. However, the presence of photographs, a sign of everyday history, foreshadows a stronger combination between a top-down legal history, and a social history from the bottom up.

- 16 As a result, the effects of immigration restrictive laws on lifestyles and family structures of the “impossible subjects” are not analyzed. In this sense, the essay would have also benefited from a reflection on gender. If the racialized sexual representations of Filipinos as feminized males are well studied, the way immigrant policies affected gender dynamics is largely underestimated. Chinese women, seen as presumptive prostitutes and Chinese males portrayed as sexually deviant since the 1880s, are not even mentioned.
- 17 In any case, the figure of the “impossible subject” does not cease to be ambivalent. The book was indeed published at the time of the immigration reform proposal by George Bush (2004). The reform, criticized as a new bracero program, thus emphasized the acute character of illegal immigration in the United States in its contemporary ramifications⁴. More recently, the very disputed Dream Act under Obama’s office or the spectrum of illegal Mexicans immigrants raised in the Trump campaign bring back the haunting of foreignness in the American nation. Undoubtedly, Ngai was right when she declared that the impossible subject is “a problem not to be solved” (18).

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NOTES

1. One exception to this rule may be the book of DANIELS, Roger, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882*, New York (NY), Hill and Wang, 2004. On nineteenth-century immigration, see for example KRAUT, Alan M., *The Huddled Masses: The Immigrant in American Society, 1880-1921*, Wheeling, Harlan Davidson, 2001 or VAN VUGT, William E., *Britain to America: Mid-Nineteenth Century Immigrants to the United States*, Urbana, University of

Illinois Press, 1999. On the post-65 period, YANG, Philip Q., *Post-1965 Immigration to the United States: Structural Determinants*, Westport, Praeger, 1995.

2. Erika Lee's essay is one of the first books devoted to the study of Chinese exclusion laws.

3. Indeed, contract labor was for a long time considered antithetical to the founding principles of American democracy. On the social construction of whiteness, see ROEDIGER, David, *The Wages of Whiteness: Race and the Making of the American Working Class* (1991), New York, Haymarket Series, 2007.

4. Cultural production is no exception to these questions. See for example the very recent film *Soy Nero* (2016) directed by Raffi Pits, which deals with the story of "Green card soldiers" Mexicans who were promised a green card after having served in the American army but were eventually deported.

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